



IN THE
Supreme Court of the United States

OCTOBER TERM, 1943.

No.

FRED SCHROEPFER, CHARLES R. SCHROEPFER,
AND ABRAHAM BERRY,

Petitioners,

vs.

THE A. S. ABELL COMPANY, INC.,

Respondent.

MOTION TO PROCEED ON TYPEWRITTEN RECORD.

*To the Honorable, the Chief Justice and the
Associate Justices of the Supreme
Court of the United States:*

The petitioners, Fred Schroepfer, Charles R. Schroepfer and Abraham Berry, respectfully show unto this Honorable Court:

1. That petitioners sued the respondent in the District Court of the United States for the District of Maryland for unpaid minimum wages and unpaid overtime

compensation under the Fair Labor Standards Act, Title 29, Sec. 201 ff., United States Code.

2. On December 16, 1942, the District Court of the United States for the District of Maryland rendered a judgment for the respondent dismissing the complaint.

3. On September 16, 1943, the United States Circuit Court of Appeals for the Fourth Circuit affirmed the lower Court.

4. Petitioners wish to petition this Honorable Court for a writ of certiorari to review the judgment of the Circuit Court of Appeals for the Fourth Circuit, and although they are not destitute they have not sufficient funds or credit to procure the printing of the record in the case, the cost of said printing being estimated by the Clerk of this Honorable Court to be between \$900.00 and \$1,000.00. Petitioners Fred Schroepfer and Charles R. Schroepfer are workmen. Petitioner Abraham Berry is in the Armed Forces of the United States, serving in the United States Navy, and is unavailable to execute this petition.

WHEREFORE petitioners ask that this Honorable Court pass an order permitting petitioners to proceed upon the typewritten certified record which has been lodged in this Court by the Clerk of the Circuit Court of Appeals for the Fourth Circuit.

I. DUKE AVNET,
WM. TAFT FELDMAN,
Attorneys for Petitioners.

FREDERICK W. SCHROEPFER,
CHARLES R. SCHROEPFER,
Petitioners.

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

THIS IS TO CERTIFY, that on the 14th day of December, 1943, before me the subscriber, a Notary Public in and for the City of Baltimore, State of Maryland, personally appeared Fred Schroepfer and Charles R. Schroepfer, and made oath in due form of law that the matters and facts set forth in the foregoing motion are true to the best of their knowledge, information and belief.

KATHRYN M. HEALY,

(Seal.)

Notary Public.